

REMARKS

Favorable reconsideration of the application, in view of the following remarks, is respectfully requested.

Claims 1-11 are pending in the application.

By way of summary, the specification is objected to for the reason that the computed values of VdAv-VdL1 are considered by the Official Action to be inconsistent with Applicants' presumed meaning of "VdAv." Claim 1 has been objected to based upon a formality. Claims 3 and 4 have been objected to for the same reasons as the specification. Claims 1-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mihara (US 2006/0158742) in view of Nakayama (U.S. Patent No. 5,847,882).

Turning first to the objection to the specification, the Official Action takes the position (page 2) that "the computed values in Table 13 are based upon VdAv as 'the average of the Abbe numbers of the lenses of the first lens group having a positive refractive power subsequent to and including the second lens of the first lens group . . .' " The Official Action adds the language "and including" to the term "subsequent to". However, page 8 of the specification which provides the quote in question does not include the language "and including." Thus, "subsequent to" means subsequent to the second lens of a first lens group, and not subsequent to and including the second lens of the first lens group, as asserted in the Official Action. Accordingly, Applicants believe that the objection to the specification should be reconsidered and withdrawn.

With regard to the objection to Claim 1, Applicants have amended the penultimate line of Claim 1 to recite "in this order" instead of "in the order" as suggested in the Official Action.

Turning next to the objection to Claims 3 and 4 (found on page 3 of the Official Action) Applicants believe that Claims 3 and 4 are acceptable as written because the

language “and subsequent to” the second lens of the first lens group as it appears in the specification does not include the language “and including” as set forth in the Official Action. Accordingly, Applicants request that this rejection be reconsidered and withdrawn.

Turning next to the rejection of Claims 1-11 under 35 U.S.C. § 103(a) as being unpatentable over Mihara in view of Nakayama. The Official Action takes the position that Mihara does not disclose the second or fourth lens groups moved for zooming with third lens group fixed, as claimed. To overcome this deficiency of Mihara, Applicants turn to Nakayama for a teaching of this feature.

In response, Applicants note that Claim 1 recites, *inter alia*, that the fourth lens group is moved in one direction when the second and fourth lens group are moved for zooming. In the Official Action (page 6) the position is apparently taken that the language “one direction” means at least one direction.

At the outset it is noted that independent claims 1 and 9 recite “one direction.” In Nakayama, the fourth lens moves to draw a curve. It does not move in one direction but rather moves along a plurality of directions as it executes its curved movement. Accordingly, Nakayama does not make up for the deficiencies of Mihara.

Turning next to the rejection of Claims 10 and 11, these claims recite that the fourth lens group moves in a linear non-curved manner. In the Official Action on page 7, on lines 2 and 3, and once again on line 10, the language of the claims is misstated as “non-linear curved manner” instead of “linear non-curved manner”. Applicants consider this to be a typographical error in the Official Action. In any event, the Official Action takes the position that Mihara does not disclose a fourth lens group moving in a linear non-curved fashion. However, the Official Action takes the position that Nakayama teaches that the fourth lens group can be the compensator. The Official Action additionally asserts that Mihara teaches that in a zoom lens system having an object side lens group moveable as the variator and an

image side lens group moveable as a compensator, that is desirable to have the compensator moving in a linear non-curved fashion for the purpose of providing zooming compensation function, relying on paragraph [0371] and Figure 25 of Mihara.

Applicants traverse the rejection because modifying Nakayama with Mihara would not result in the claimed invention, for the following reasons. Mihara discloses a moveable third lens group. Nakayama discloses a moveable fourth lens and second lens group with a third lens group fixed. However, in Nakayama, the fourth lens is not moved in a linear non-curved manner. As a result, if you combined the teachings of the two references it would not result in the claimed invention of a fourth lens group moving in a linear non-curved fashion but rather would result in the third lens group of Mihara moving in an arcuate fashion with the second and fourth lens group of Mihara being fixed. This is the opposite of Applicants' claimed invention. Accordingly, combining the teachings of Mihara and Nakayama would not have resulted in the claimed invention.

In any event, to advance the prosecution of the application, Applicants have amended independent claims 1 and 9 to change "one direction" to "one linear direction" and have amended claims 10 and 11 to recite "only in a linear non-curved fashion."

From all of the above Applicants believe that Claims 1-11 are now in condition for allowance and early indication to that effect is respectfully requested.

Respectfully submitted,

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